

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

**In re:
MEGAN LYNNE BROWN CRAMER
Debtor.**

**Case No.09-14939 -RGM
Chapter 7**

**FRANK E. BROWN, JR.
AND
WENDY E. BROWN,
Plaintiffs,**

**v.
MEGAN LYNNE BROWN CRAMER,
Defendant.**

Adversary: 09-01415-RGM

**STIPULATED MOTION TO DISMISS ADVERSARY PROCEEDING, APPROVE
SETTLEMENT OF ACTION**

The plaintiffs, Frank E. Brown and Wendy E. Brown ("Brown"), with the consent and by stipulation of the defendant, Megan Lynne Brown Cramer ("Cramer") move to dismiss this adversary proceeding with prejudice. In support, Brown asserts the following:

1. The debtor filed a petition under Chapter 7 of the Bankruptcy Code on June 19, 2009.
2. The Browns are creditors of the debtor. The Browns have maintained an adversary proceeding against the debtor, and, having settled their claims with the debtor, wish to dismiss the adversary proceeding on agreed terms, pursuant to Fed. R.Bankr. Pro. 7041 and LR 7041-1.
3. On or about April 14, 2008, the debtor, on behalf of a limited liability company (MLBC, LLC, "MLBC") of which the debtor was sole principal, had borrowed the sum of \$190,000 from the Browns to purchase and fund the operating costs of a bakery business the debtor wanted.

The debt was secured, and the debtor personally guaranteed the debt.

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4. In an adversary proceeding filed on or about December 3, 2009, the Browns asserted two causes of action against the debtor.
5. Count I of the complaint sounded in 11 U.S.C. §727(a).
6. Count II of the complaint sounded in 11. U.S.C. §523(a).
7. The specific allegations of the Brown's causes of action are set forth in the Brown's Amended Complaint.
8. Cramer's response to the Browns' Complaint is set forth in her Answer to Amended Complaint.
9. The parties have agreed to dismiss Count I without settlement. In settlement of Count II, the debtor has agreed to repay the Browns the sum of \$11,500, without interest, over approximately six years, in progressively higher increments. The debtor has modest regular income but no assets to speak of, and she hopes and anticipates that her income will increase over this period of time.
10. Repayment is to begin in February of 2011 in \$50 monthly installments, graduating to \$150 monthly in 2012, and progressing to \$200 monthly installments in 2013 until paid. The debt will be documented by a confessed judgment note, non-dischargeable in any bankruptcy.
11. The trustee has collected no assets for distribution to general creditors, and no distributions are expected. The Trustee issued a report of "No Distribution" on August 12, 2009, months before the adversary proceeding was filed.
12. No creditors other than the Browns have taken any interest in this case.
13. No creditors will be unfairly prejudiced by the resolution of this proceeding on these terms. The amounts the debtor has agreed to repay will repay only partially the sums the creditor has expended on prosecuting the claims.

WHEREFORE, the above premises considered, the Browns, with the consent and stipulation of the debtor, move to dismiss the adversary proceeding with prejudice on the terms described, including dismissing with prejudice the cause of action pursued under 11 U.S.C. §727. The Browns request such further relief as the court deems appropriate.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the below by placing a copy thereof, first class postage prepaid, and/or electronically this 23rd day of December, 2010, to:

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